

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 7026

August 21, 2023

SUMMARY OF BILL: Requires a court that orders juvenile commitments to a mental institution or adjudicates juveniles as a mental defective to enter a standing and continuing order instructing the juvenile court clerk to collect and report to the Federal Bureau of Investigation's National Instant Criminal Background Check System (NICS) and the Department of Safety (DOS) as soon as possible, but no later than the third business day following the date of such an order or adjudication, the following information regarding children who have been adjudicated as a mental defective or judicially committed to a mental institution at 16 years of age or older:

- complete name and all aliases of the child, including, but not limited to, any names that the child may have had or currently has by reason of marriage or otherwise;
- case or docket number of the judicial commitment or the adjudication;
- date judicial commitment ordered or adjudication was made;
- private or state hospital or treatment resource to which the child was judicially committed;
- date of birth of the child, if such information has been provided to the clerk;
- race and sex of the child; and
- social security number of the child, if available.

Establishes such information as confidential and not open to public inspection, except as provided for in other statutes and as may be necessary in criminal proceedings.

Requires a juvenile court to enter a standing and continuing order instructing the juvenile court clerk to notify the DOS to update or remove records following relief from firearm disabilities. Requires the Tennessee Bureau of Investigation (TBI) to notify and remove such records from the NICS indices.

FISCAL IMPACT:

Increase State Expenditures – \$10,000/FY23-24

Assumptions:

- Based on information provided by the Administrative Office of the Courts (AOC), in order for the relevant juvenile court clerks to send the required information to the NICS system and the DOS, there will need to be a new interface created to facilitate communication between the courts' current reporting system and those destinations.

- The AOC estimates a one-time increase in state expenditures of approximately \$10,000 in FY23-24 to build such an interface.
- It is assumed that the juvenile court clerks can comply with these new requirements in the normal course of business.
- The DOS and the TBI can comply with the proposed requirements utilizing existing resources.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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